

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL ACTION NO. 3:98-CR-00322-GCM**

UNITED STATES OF AMERICA,

v.

MICHAEL JEROME ORR,

Defendant.

ORDER

THIS MATTER comes before the Court on Defendant Michael Jerome Orr's Motion to Reduce Sentence Under the First Step Act (ECF No. 82). The United States filed a response (ECF No. 84). Orr then filed a reply (ECF No. 86). The matter is now ripe for disposition.

Mr. Orr, through counsel, previously filed a Motion to Reduce Sentence under the First Step Act on September 16, 2021 (ECF No. 68). The Court denied this motion (ECF No. 74), and the Fourth Circuit affirmed (ECF No. 80). Shortly thereafter, Mr. Orr filed the present motion pro se.

Mr. Orr has shown no new reasons to reduce his sentence, nor has he demonstrated that the balance of the sentencing factors has shifted to support a reduction. Rather than arguing that there are new reasons to reduce his sentence, Orr merely seeks to revisit this Court's prior denial of his motion, arguing that the Court improperly relied on the presentence report in denying that motion. This was the same argument previously raised on appeal and rejected by the Fourth Circuit. *See United States v. Orr*, No. 21-7664, 2022 WL 2304020, at *1 (4th Cir. June 27, 2022). Accordingly,

IT IS THEREFORE ORDERED that Defendant's "Motion to Reduce Sentence Under the First Step Act" is hereby DENIED.

Signed: June 28, 2023

